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## **Public Records Request- Cost of Records**

**Effective: 1-8-19**

### **Policy Statement**

In order to maintain budgetary control and to prevent unnecessary expenditure of funds, large volume public records requests should not be completed until the requestor has paid all fees associated with the request.

### **Purpose**

To provide a means by which costs may be recovered for large volume public records requests.

### **Applicability**

Applies to all public records requests directly filled by County staff.

### **Procedure**

14.1 For the purposes of this Policy, the following definitions apply.

(a) ***Actual cost*** is the sum of the direct, chargeable costs related to the copying and production, as determined by generally accepted accounting principles, but excluding costs that would have been incurred if a request to copy the record had not been made.

(b) ***Burdensome copying*** is copying, compiling, and/or producing records in response to a request that requires extensive use of information technology resources or extensive clerical or supervisory assistance by personnel.

(c) ***Larger than standard size original*** is an original page wider than 11 inches or longer than 14 inches.

(d) ***Non-paper copying*** is copying records using any format, such as CD-ROM, floppy diskette, or other data storage, that does not use a photocopy machine to produce copy images.

(e) ***Personnel Costs*** related to burdensome copying are determined at an hourly rate equal to the gross hourly wages of the employee(s) who worked on the applicable records production multiplied by the number of hours worked by the employee(s) during the production.

(f) ***Public Record*** are those records as set forth and defined in N.C.G.S. 132-1.

(g) ***Standard size copy*** is an 8.5 x 11 or 8.5 x 14 inch copy made from an original page that is not longer than 8.5 inches in one dimension and not longer than 14 inches in the other dimension.

14.2. All fees established by this Part shall apply to any person who requests copies of County records, other than persons acting on behalf of the County.

14.3. Except as provided otherwise, the following charges shall be made for production:

<i><b>Ink on copy</b></i>	<i><b>Size of paper of copy (inches)</b></i>	<i><b>Hardcopy fee per page (includes electronic production costs)</b></i>	<i><b>Electronic Production Only Fee per page</b></i>
black	8.5 x 11	5 cents	1.5 cents
black	8.5 x 14	6	1.5
black	11 x 17	7	1.5
color	8.5 x 11	15	1.5
color	8.5 x 14	20	1.5
color	11 x 17	25	1.5

(a) The Manager finds that the amounts listed in this section are the actual costs of producing records in hard copy. Copying will generally be made 2-sided when reasonably practicable. A 2-sided copy shall be charged as two pages. These costs may be updated if and when they change without further approval of the Manager.

(b) The per page cost includes the cost of paper (hard copy production only) plus the cost of specialized information technology resources.

14.4. County staff shall charge fees for copying larger than standard size originals. The fees shall be in amounts equaling the actual cost.

14.5. In addition to all other applicable fees, there shall be a fee of \$1.00 per certification by the Clerk to the Board. As authorized by North Carolina General Statute 132-6.2(b) an additional fee will be added to burdensome copying. The amount of the fee will equal the dollar value of the personnel costs required for such extensive clerical or supervisory assistance by personnel together with the cost for any excessive use of information technology resources.

14.6. Fees shall be waived if the estimated cost of production is \$25.00 or less.

(a) ***Multiple Requests.*** Should a requesting party or group initiate multiple small requests that exceed \$25.00 in cost to the County in any ninety day period, fees will be charged as provided herein for all requests for records received from that party or group after the \$25.00 threshold is reached through the end of the then current fiscal year.

**This policy may be reviewed annually and updated as needed by the Attorney's Office subject to final approval by the County Manager.**